

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

FREMONT REORGANIZING
CORPORATION, a California
Corporation,

Plaintiff,

v.

NATIONAL UNION FIRE
INSURANCE COMPANY OF
PITTSBURGH, a Delaware corporation;
ZURICH AMERICAN INSURANCE
COMPANY, a New York corporation;
CONTINENTAL INSURANCE
COMPANY, a Pennsylvania corporation,

Defendants.

CASE NO. SACV10-00310-JVS
(ANx)

**JUDGMENT IN FAVOR OF
DEFENDANT CONTINENTAL
INSURANCE COMPANY**

WHEREAS, the parties' cross-motions for summary judgment came on regularly for hearing before this Court on December 20, 2011;

WHEREAS, the Court, having considered the papers filed in connection with the motions and argument of counsel, and having found there was no genuine issue of material fact, and good cause appearing therefor, issued its January 5, 2012 order (ECF No. 225), which, in part:

- (1) DENIED Plaintiff Signature Group Holdings, Inc's ("Plaintiff") motion for summary judgment as to all claims against Defendant Continental Insurance Company ("Continental"), except declaratory relief which was GRANTED in part to the extent of the conclusions declared in the January 5, 2012 order;
- (2) GRANTED Continental's motion for summary judgment brought on all causes of action asserted against it by Plaintiff; and

WHEREAS, the Court's January 9, 2012 order (ECF No. 226) DENIED Plaintiff's motion for leave to amend the complaint, which sought to add a cause of

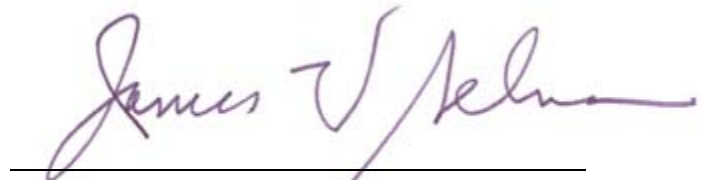
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1 action for breach of contract under the Claims Expense coverage against
2 Continental, and held that because Plaintiff has not incurred a direct loss under the
3 terms of the applicable insurance policies, and because there is no valid claim
4 asserted, no expenses associated with the asserted claims are payable by the
5 Defendants under the terms of the Claims Expense coverage.

6 IT IS HEREBY ORDERED that pursuant to the Court's January 5, 2012
7 order granting Continental's motion for summary judgment on all causes of action
8 asserted against it by Plaintiff and denying Plaintiff's motion for summary judgment
9 as to all claims against Continental (except declaratory relief which was granted in
10 part to the extent of the conclusions declared in the January 5, 2012 order) and Rule
11 54(b) of the Federal Rules of Civil Procedure, the Court finds there is no just reason
12 for delay and that judgment is entered in favor of Defendant Continental Insurance
13 Company and against Plaintiff Signature Group Holdings, Inc., successor in interest to
14 Fremont Reorganizing Corporation. As the prevailing party, Continental is entitled
15 to its costs pursuant to Rule 54.

16 **IT IS SO ORDERED.**

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18 Dated: February 09, 2012



Honorable James V. Selna
United States District Court Judge

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